

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

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CANDACE WATKINS,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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CASE NO. 1:16-CV-2643

OPINION AND ORDER  
[Resolving Doc. [1](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Plaintiff Candace Watkins originally applied on June 11, 2012 for supplemental security income on the basis of disability.<sup>1</sup> Her claim was denied on September 7, 2012, and denied again on reconsideration on May 15, 2013.<sup>2</sup>

Administrative Law Judge (“ALJ”) Pamela Loesel heard Watkins’s case on May 13, 2015, and found Watkins not disabled in a November 2, 2015 decision.<sup>3</sup> The Appeals Council denied Watkins’s request for review, and Watkins brought this action to challenge the Social Security Commissioner’s final decision.<sup>4</sup>

Magistrate Judge Thomas M. Parker originally considered this case. On November 22, 2017, Judge Parker issued a Report and Recommendation recommending that the final decision of the Commissioner be vacated and Watkins’s case remanded because the ALJ “did not correctly apply the applicable legal standards.”<sup>5</sup>

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<sup>1</sup> See Doc. [14-1](#) at 1.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

Objections to Magistrate Judge Parker's Report and Recommendation were due by December 6, 2017. The Commissioner chose not to file objections to the Report and Recommendation.<sup>6</sup>

The Federal Magistrates Act requires a district court to conduct a de novo review only of those portions of a Report and Recommendation to which the parties have made an objection.<sup>7</sup> Absent objection, a district court may adopt the Report and Recommendation without review.<sup>8</sup>

Because no party has objected to the Report and Recommendation, this Court may adopt the Report and Recommendation without further review. Moreover, having conducted its own review of the briefing and record, the Court agrees with the conclusions in the Report and Recommendation.

Accordingly, the Court **ADOPTS** Magistrate Judge Parker's Report and Recommendation and incorporates it fully herein by reference. The Court **VACATES** the final decision of the Commissioner and **REMANDS** this case for further proceedings consistent with Magistrate Judge Parker's Report and Recommendation.

IT IS SO ORDERED.

Dated: December 14, 2017

*s/ James S. Gwin*  
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JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE

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<sup>6</sup> See Doc. 15.

<sup>7</sup> 28 U.S.C. § 636(b)(1).

<sup>8</sup> *Thomas v. Arn*, 474 U.S. 140, 149 (1985); [L.R. 72.3\(b\)](#).